1878-79

(Municipal)

File No 18.

Serial Nos. 1-3

B

Re-erecting the Compound wall

in premises No. 4. Osborne Road.

Indexed

JG

1879.

From Captain Begbie Q.O. Sappers & Miners

To The Secretary to the Chief Commissioner of Mysore.

To

Dated 11th March

Despatched

Received 12th March 79

Enclosures No.

General No. ×

No.

Requests that orders be issued to the Civil Cantonment Committee to give practical effect to the provisions of the Municipal Act in having a tiled sun dried compound wall rebuilt.

I think a copy might be sent to the Presidency Magistrate as it will show him what is now prepared to impose & may be a deterrent to any improvement in matters requiring attention

11/3 12/3.

13/3

No.

Bangalore, 11 March

From Captain Beazley
"Queen's Own" Sappers & Miners.

To The Secretary to the
Chief Commissioner
Mysore

Sir,

I have the honor to bring the following circumstances to your notice.
During the heavy rains of last autumn a portion of the boundary wall on the north side of my garden fell down.
Having brought this to the notice of the President of the Bangalore Municipality & requested him to take action, that Officer issued a notice to the agent (Doda Veerappa Maistry) that if the fallen wall was not rebuilt in ten days action would be taken before a magistrate.
No attempt having been made to rebuild the garden wall, the President on my representation served a second notice on the 10th Feb. informing the agent that if the reconstruction of the wall was not begun within 8 days the work would be carried out by the Municipality as provided for in Sections 159 & 160 of the Bangalore Municipal Regulations.
The agent not having obeyed this order I again brought the subject to the notice of the President, who on the 24th Feb. issued a third notice to the agent informing him that if the wall was not rebuilt "within a reasonable time" the work would be carried out by the Municipality & the "cost incurred thereon.

in the 25th Jan.

From

To The President of the
Cantt Municpl Comm
Bangalore

Dated Camp Mysore 14th Mar 1879

Despatched 18th March 1879

Received

Enclosures No. 1

Despatch
General No. 3889
Mil No. 346

Letter dy 11 March 1879 from Captain Begbie Queens own Sappers & Miners, requesting that Orders be issued to the Permanent Cantonment Municipal Commissioner to give practical effect to the provisions of the Mun cpl Act in having a cobbled drain Compn wall &c. &c. &c. constructed —

In forwarding copy of the above request that the President will desist from issuing notices he is not prepared to enforce, or

not

Form No. 9

No 1457 1879.

From

The President,

Cantonment Municipal Commission,

Bangalore,

To

The Secretary to Chief Commissioner,

Public Department.

Dated.
Despatched. 22nd March 79.
Received 24.

Enclosures No 1.

General No. 2690
No.

Reports on the action taken by the Municipality with reference to the notices served on the Agent of premises North Parade Road

The Asst. Engineer's explanation seems satisfactory

J. 27/5

Sd. H. I do not however see the necessity for two notices. The first one might have stated that if the work is not commenced the Municipality will undertake it at cost of the house agent

27/5 2917 Albion Press no order

Sd 22/5

Encl 2890 & Encl

Cantt Daniel Commrs Office
Bangalore 22nd March 1879.

To

The Secretary to the
Chief Commissioner of Mysore
Duftur Department

Sir,

With reference to your endorsement no $\frac{3899}{346}$ dated 14th Instant forwarding Copy &c a Letter to your address from Captain Begbie Superintendent Sappers and Miners in which that officer Complains that no practical effect had been given to certain orders issued from this Department and requesting me either to desist from issuing notices I am not prepared to enforce, or not to delay enforcement of notices once legally issued I now do myself the honor to submit the following explanation with reference to the action taken by me in this matter

2nd Captain Begbie would seemingly wish to make it appear that his

Force.

Honse Agent had been permitted to treat with silent contempt as he terms it an injunction issued from this Department and that no steps had been taken by me to give practical effect to the Regulations bearing on the case; the real facts of the case are however very different and these I shall now proceed to detail as briefly as possible.

3 It having been reported to me by Captain Beglin that a portion of the boundary wall of his premises No 4 Seborne road had fallen down a notice under the provisions of Section 32 of the Municipal Bye-Laws dated January 25th was served on the Honse Agent Doddaveerappa Mastry directing him to have the wall relined within 8 days otherwise he would render himself liable to prosecution, no attempt having been made to reline the fallen wall on the 10th of February issued a second notice informing the Agent that unprovided he did not commence the

reconstruction

reconstruction of the fallen wall within 8 days of the receipt of the notice the work would be carried out by the Municipality and the cost recovered as provided in Sections 159 and 160 of the Municipal Regulations. This office despatch book shews that this notice was delivered on the 14th February, & the 24th the Conservancy Overseer of the District reported that the work had been commenced, that the foundation had been put in, and the wall raised to a height of 6 inches from the ground. Being of opinion that the work might and ought to be pushed forward more rapidly I on the same date the 24th of February addressed another notice to the Agent informing him that the wall must be rebuilt within a reasonable time otherwise the provisions of Sections 159 and 160 of the Regulations would be enforced.

* copy of report attached

4 From the date this last notice was served viz: on the 25th Ultimo up to the present time the Construction

of the wall has been in progress, some-
what slowly perhaps but probably
not much more so than the nature of
the work demanded and from a report (Copy attd.)
from the Sanitary Inspector dated 19th
Inst. it would appear that the wall
has now reached a height of in some
places 2 and in others 5 feet I may
observe that though in our printed
notices having reference to fallen walls
a period of 8 days is allowed as the time
within which the work must be carried
out the Bye Law itself is silent on this
point and it has consequently been
usual to allow to the parties concerned
a considerable amount of latitude
before having recourse to legal pro-
ceedings, In the present instance
as the Agent had commenced and
was proceeding with the construction
of the wall it was obvious that I
could not further interfere.

5th In conclusion I think I may be
permitted to express a hope that the

Explanation

Explanation now offered may be sufficient to convince Mr Gordon that the notice issued with reference to this case was of itself perfectly legal and that no unnecessary delay occurred in enforcing its provisions.

I have the honor to be
Sir
Your Most obedt Servant

President Mil Cantonments
Rangoon Cantt

J.

Memo

No. 4 E & B Division

I beg to report that I have inspected premises No 4, Osborne Road and found that Doddaveraja Mastry Agent has constructed a Mud Wall about 6 inches from the Ground on the North East End of the above premises.

Bangalore
24.12.79

I/C J. Nicholls
O.O.

Beg to report that I visited No 4 premises Osborne Road this afternoon and find that the erection of the Compound wall is being pushed on steadily, though somewhat slowly though not more so perhaps than the nature of the work requires, the wall being merely a Common Mud one), the length of wall requiring to be erected is altogether about 85 feet and throughout the entire length

a wall of from 2 to 5 feet has been
Constructed and Considering that each
Layer of Mud requires to dry before
another Layer can be put in I consider
that fair progress is being made.

Capt R. J. Harrison
Sanitary Inspector

19th March
1879.

Two Copies

Capt Cox
21 March 79

President Cumberland Ave 40